



# DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

MAY 31 2007

MIKE D. McDANIEL, Ph.D.  
SECRETARY

CERTIFIED MAIL 7003 1010 0002 1622 9127 -RETURN RECEIPT REQUEST

File No.: LA0000876

AI No.: 19531

PER20070001

Mr. Jerry V. Graves, Director of Operations  
St. Bernard Port, Harbor, and Terminal District  
Chalmette Terminal  
Post Office Box 1331  
Chalmette, Louisiana 70044

RE: Draft Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge treated sanitary wastewater, stormwater runoff, and industrial wastewater from Calciner Industries and Boasso America Corporation to the Mississippi River from an existing port, harbor, and terminal located at 9000 W. St. Bernard Highway, Chalmette, St. Bernard Parish.

Dear Mr. Graves:

The Department of Environmental Quality proposes to reissue an LPDES permit with the effluent limitations, monitoring requirements, and special conditions listed in **the** attached DRAFT PERMIT. Please note that this is a DRAFT PERMIT only and as such **does not** grant any authorization to discharge. Authorization to discharge in accordance **with** this permitting action will only be granted after all requirements described herein are satisfied and by the subsequent issuance of a FINAL PERMIT. Upon the effective date of the FINAL PERMIT, the FINAL PERMIT shall replace the previously effective State (LPDES) permit.

This Office will publish the enclosed public notice one time in a local **newspaper** of general circulation and the Office of Environmental Services Public Notice **Mailing List**. In accordance with LAC 33:IX.6521.A, the applicant shall receive and is responsible for paying the invoice from the above mentioned newspaper. LAC 33:IX.6521.A states: "...the **costs** of publication shall be borne by the applicant."

The invoice, fee rating sheets, and a copy of the fee regulations will be sent under a separate cover letter as applicable. A copy of the entire Louisiana Water Quality Regulations may be obtained from the DEQ Office of Environmental Assessment, Post Office Box 4314, Baton Rouge, Louisiana 70821-4314, (225) 219-3236.

**ENVIRONMENTAL SERVICES**

: PO BOX 4313, BATON ROUGE, LA 70821-4313

P:225-219-3181 F:225-219-3309

WWW.DEQ.LOUISIANA.GOV

St. Bernard Port, Harbor, and Terminal District  
RE: LA0000876, AI No. 19531  
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Pursuant to LAC 33:IX.1309.I, LAC 33:IX.6509.A.1 and LAC 33:I.1701, you must pay any outstanding fees to the Department. Therefore, you are encouraged to verify the facility's fee status by contacting LDEQ's Office of Management and Finance, Financial Services Division (225) 219-3863. Failure to pay in the manner and time prescribed could result in applicable enforcement actions as prescribed in the Environmental Quality Act, including, but not limited to revocation or suspension of the applicable permit, and/or assessment of a civil penalty against you.

For sanitary treatment plants, the plans and specifications must be approved by the Department of Health and Hospitals, Office of Public Health, P.O. Box 4489, Baton Rouge, LA 78021-4489, (225) 342-7395.

Should you have any questions concerning any part of the DRAFT PERMIT, public notice requirements, or fee, please feel free to contact Michelle Bickham, Office of Environmental Services, at the address on the preceding page, telephone (225) 219-3109. To ensure that all correspondence regarding this facility is properly filed into the Department's Electronic Document Management System, please reference your Agency Interest (AI) number 19531 and LPDES permit number LA0000876 on all future correspondence to this Department, including Discharge Monitoring Reports.

Sincerely,



Jesse Chang  
Environmental Scientist Manager

mlb

Attachment(s) draft permit, statement of basis, and fee sheet:

c: Michelle Bickham  
Water Permits Division

IO-W

cc: Ms. Gayle Denino  
Office of Management & Finance

Permit Compliance Unit  
Office of Environmental Compliance

Cheryl LeJeune  
Water Permits Division

Public Participation Group(for public notice)  
Office of Environmental Assistance

## **GUIDANCE TO UNDERSTANDING THE NEW WATER PERMIT FORMAT**

### **Components of the Permit Report**

**General Information Sheet** - A summary of the facility information, such as facility address, latitude/longitude at front gate, facility contact and phone number, Source Classification Code (SCC), Standard Industrial Classification (SIC) and North American Industry Classification (NAICS) codes.

**Inventory Sheet** - Lists all subject items groups, and any relationships that may exist between subject items or subject item groups.

**Facility Specific Requirements (TPOR0128)** - All permit requirements placed on the Agency Interest (AI) and its Subject Items are stated by type. The five types of permit requirements are as follows: Limitation Requirement, Sample Type and Frequency, Recordkeeping Requirement, Narrative Requirement, and Submittal/Action Requirement.

These requirements are sorted by subject item first, next by parameter, and then by requirement type. Narrative and Submittal/Action requirements are at the end of each subject item.

All applicable narrative requirements for the entire Agency Interest (AI) appear in text form after the last subject item. The narrative requirements are stated in order by regulatory citation. Note: Some permit requirements associated by a common subject may be separated.

### **Definitions**

**Agency Interest (AI)** - Any entity that is being regulated or is of interest to LDEQ

**Agency Interest (AI) ID** - Numerical identifier of Agency Interest (AI)

**Activity Number** - Each action taken for an Agency Interest (AI). This identifier consists of a total of 11 characters, 3 letters represents the regulatory program followed by four digits representing the year the application was received by LDEQ, and four digits which are sequentially assigned. Example PER 19990001, this would identify the activity as the *first permitting* action taken for this Agency Interest (AI) in the year *1999*.

**Category** - Broad terms used to define the Subject Item, such as Activity (ACT), Area (ARE), Equipment (EQT), Fugitives (FUG), Group (GRP), Release Point (RLP), and Treatment (TRT).

**Phases** - Periods during which the associated requirement applies to the particular parameter. *For Example*, if the permit contains a compliance schedule with interim limits, this column will state the phase in which the compliance schedule of the associated requirement is applicable.

**Statistical Basis (Stat.Basis)** - Calculation or direct measurement upon which the permit requirement is based.

**Subject Item (SI)** - Components or groups of components of an Agency Interest (AI), including the Agency Interest (AI) itself. Each Subject Item is defined by a category and a type. Note: The type does not appear in the Subject Item ID.

**Subject Item ID** - Identifier assigned sequentially to each Subject Item within an Agency Interest (AI). It is composed of three letters representing the category of the Subject Item and is followed by the sequentially assigned number. Example RLP 1.

**Which Months ?** - Denotes the months that have a particular parameter requirement. This is usually used for seasonal limitations.

**General Information Sheet**

Agency Interest/Facility Name: St Bernard Port Harbor &amp; Terminal - Chalmette Works Term

Agency Interest/Facility ID: 19531

Also Known As:	ID	Name	By/For	Dates
	72-0920561	St Bernard Port Harbor & Terminal	Federal Tax ID	11-21-1999
	LAR05N247	LPDES #	LPDES Permit #	08-06-2002
	RD-087-7354	Facility #	Waste Tires	05-27-1993
	LAR000001180	St Bernard Port Harbor & Term	Hazardous Waste Notification	04-27-2000
	LA0000876	LPDES #	LPDES Permit #	08-01-2002
	WP0582	WPC State Permit Number	LWDPS Permit #	06-25-2003
		Priority 2 Emergency Site	Priority 2 Emergency Site	07-20-2006

Main Phone: 2252778418

Physical Location: 9000 W St Bernard Hwy  
Chalmette, LA 70043Mailing Address: PO Box 1331  
Chalmette, LA 700441331

Location of Front Gate: 29° 56' 13" 50 hundredths latitude, 89° 59' 5" 12 hundredths longitude

Related People:	Name	Phone (Type)	Relationship
	Buddy Lagman	5042778418 (Work phone number)	Employed by
	Harold Felger	5047281047 (Work phone number)	Employed by
	Robert Scafidel	5042778418 (Work phone number)	Employed by
	Robert Scafidel	5042778418 (Work phone number)	Water Billing Party for
Related Organizations:	Name	Phone (Type)	Relationship

Owns

St Bernard Port Harbor

SIC Codes: 4491, Marine cargo handling

**Renewal Application  
Inventories**

**St Bernard Port Harbor & Terminal - Chalmette Works Term**

**Facility ID No.: 19531**

**Activity ID No.: PER20070001**

**Subject Item Inventory:**

ID	Description	Max. Operating Rate or Capacity	Operating Schedule
A119531		(None Specified)	(None Specified)
RLP1	Outfall 002 - stormwater runoff combined with treated sanitary from Outfall 107 and previous	(None Specified)	(None Specified)
RLP2	Outfall 107 - treated sanitary wastewater and previously treated industrial wastewater from	(None Specified)	(None Specified)

**Subject Item Groups:**

**Relationships:**

Subject Item	Relationship	Subject Item
RLP2 Outfall 107 - treated sanitary wastewater	Internal, discharges through Outfall 002	RLP1 Outfall 002 - stormwater runoff combined with treated sanitary from Outfall 107 and previous

**Subject Item Inventory Alternate IDs:**

ID	Description	Alternate ID	Alternate Name	User Group
A119531		0001860	Saint Bernard Port Harbor & Term Chalmette Wks Term	Unknown
RLP1	Outfall 002 - stormwater runoff combined with treated sanitary from	002	stormwater runoff combined with treated sanitary Outfall 107 and previously	Water Permitting
RLP2	Outfall 107 - treated sanitary wastewater and previously treated in	107	treated sanitary wastewater and previously treated industrial wastewater fr	Water Permitting

**DRAFT**



PERMIT NUMBER  
LA0000876  
AI No.: 19531

OFFICE OF ENVIRONMENTAL SERVICES  
**Water Discharge Permit**

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 *et seq.*), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 *et seq.*), rules and regulations **effective** or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit **is issued** authorizing

St. Bernard Port, Harbor, and Terminal **District**  
Chalmette Terminal  
Post Office Box 1331  
Chalmette, Louisiana 70044

**Type Facility:** port, harbor, and terminal

**Location:** 9000 W. St. Bernard Highway, Chalmette  
St. Bernard Parish

**Receiving Waters:** local drainage thence to the Mississippi **River** (070301)

to discharge in accordance with effluent limitation requirements, **monitoring** requirements, record-keeping requirements, narrative requirements, other conditions, and **standard** conditions.

This permit shall become effective on \_\_\_\_\_

This permit and the authorization to discharge shall expire five (5) years **from** the effective date of the permit.

**DRAFT**

Issued on \_\_\_\_\_

\_\_\_\_\_  
Chuck Carr Brown, Ph. D.  
Assistant Secretary

Master AI ID: 19531

Permit #: LA0000876

Activity ID: PER 2007 0001

**Subject Item: RLP 1 Outfall 002 - stormwater runoff combined with treated sanitary from Outfall 107 and previously monitored wastewater from Calcliner Industries (LA0081353) and Boasso America Corporation (LA0117099)**

**Carbon, total organic**Daily maximum

Which Months

Phases

Limits

Carbon, total organic &lt;= 50 mg/l. [LAC 33:IX.2701.A]

All Year

ALL

Sample type and frequency

Carbon, total organic monitored by grab sampling monthly (STORET 00680). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

Carbon, total organic recordkeeping by lab analyses monthly. [LAC 33:IX.2701.J.2]

ALL

**Flow, in conduit or through treatment plant**Daily maximum

Which Months

Phases

Sample type and frequency

Flow, in conduit or through treatment plant monitored by estimate monthly (STORET 50050). [LAC 33:IX.2701.J]

**Report Only -  
gallons/day**

All Year

ALL

Monthly average

Which Months

Phases

Sample type and frequency

Flow, in conduit or through treatment plant monitored by estimate monthly (STORET 50050). [LAC 33:IX.2701.J]

**Report Only -  
gallons/day**

All Year

ALL

Record-Keeping

Flow, in conduit or through treatment plant recordkeeping by manual logging monthly. [LAC 33:IX.2701.J.2]

ALL

**Oil and grease**Daily maximum

Which Months

Phases

Limits

Oil and grease &lt;= 15 mg/l. [LAC 33:IX.2701.A]

All Year

ALL

Sample type and frequency

Oil and grease monitored by grab sampling monthly (STORET 03582). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

Oil and grease recordkeeping by lab analyses monthly. [LAC 33:IX.2701.J.2]

ALL

**TSS (Total Suspended Solids)**Daily maximum

Which Months

Phases

Limits

TSS (Total Suspended Solids) &lt;= 200 mg/l. [LAC 33:IX.2701.A]

All Year

ALL

Sample type and frequency

TSS (Total Suspended Solids) monitored by grab sampling semiannually (STORET 00530). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

TSS (Total Suspended Solids) recordkeeping by manual logging semiannually. [LAC 33:IX.2701.J.2]

ALL

**pH**Instantaneous maximum

Which Months

Phases

Limits

pH &lt;= 9 s.u. [LAC 33:IX.2701.A]

All Year

ALL

Master AI ID: 19531

Permit #: LA0000876

Activity ID: PER 2007 0001

**Subject Item: RLP 1 Outfall 002 - stormwater runoff combined with treated sanitary from Outfall 107 and previously monitored wastewater from Calciner Industries (LA0081353) and Boasso America Corporation (LA0117099)**

**Sample type and frequency**

pH monitored by grab sampling monthly (STORET 00400). [LAC 33:IX.2701.J]

All Year

ALL

**Instantaneous minimum****Limits**

pH &gt;= 6 s.u. [LAC 33:IX.2701.A]

Which Months

Phases

All Year

ALL

**Sample type and frequency**

pH monitored by grab sampling monthly (STORET 00400). [LAC 33:IX.2701.J]

All Year

ALL

**Record-Keeping**

pH recordkeeping by manual logging monthly. [LAC 33:IX.2701.J.2]

ALL

**Narrative**

Monitored at the point of discharge from the retention pond discharge pump prior to mixing with other waters. [LAC 33:IX.2701.J.4]

Phases

ALL

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oily materials, nor of toxic materials in quantities such as to cause toxicity to aquatic organisms. [LAC 33:IX.1113.B]

ALL

Submit Monthly Discharge Monitoring Report (DMR): Due quarterly, by the 28th of January, April, July, and October. Prepare one DMR per month and submit all 3 reports quarterly. Shall be postmarked not later than 1) April 28 for monitoring in the months of January, February, and March 2) July 28th, for monitoring in the months of April, May, and June; 3) October 28th, for monitoring in the months of July, August and September; and 4) January 28th, for monitoring in the months of October, November, and December. [LAC 33:IX.2701.L.4]

ALL

Submit Semiannual Discharge Monitoring Report (DMR): Due semiannually, by the 28th of January and July. Shall be postmarked no later than: 1) July 28th, for monitoring in the months of January through June; and 2) January 28th, for monitoring in the months of July through December. [LAC 33:IX.2701.L.4]

ALL

**Discharge Monitoring Report**

Prepare and submit DMRs for each outfall. Place an "X" in the No Discharge box located in the upper right corner of the DMR if there is a "No Discharge" event at any of the monitoring outfall(s) during the reporting period. Submit duplicate copies of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503.B, and all other reports (one set of originals) required by this permit, to the Department of Environmental Quality, Office of Environmental Compliance, Permit Compliance Unit, Post Office Box 4312, Baton Rouge, Louisiana 70821-4312. [LAC 33:IX.2701.L.4]

ALL

Master AI ID: 19531

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Activity ID: PER 2007 0001

**Subject Item: RLP 2 Outfall 107 - treated sanitary wastewater****BOD, 5-day (20 degrees C)**Monthly average**Which Months****Phases**Limits

BOD, 5-day (20 degrees C) &lt;= 30 mg/l. [LAC 33:IX.2701.A]

All Year

ALL

Sample type and frequency

BOD, 5-day (20 degrees C) monitored by grab sampling monthly (STORET 00310). [LAC 33:IX.2701.J]

All Year

ALL

Weekly average**Which Months****Phases**Limits

BOD, 5-day (20 degrees C) &lt;= 45 mg/l. [LAC 33:IX.2701.A]

All Year

ALL

Sample type and frequency

BOD, 5-day (20 degrees C) monitored by grab sampling monthly (STORET 00310). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

BOD, 5-day (20 degrees C) recordkeeping by lab analyses monthly. [LAC 33:IX.2701.J.2]

ALL

**Fecal coliform, general**Monthly average**Which Months****Phases**Limits

Fecal coliform, general &lt;= 200 colonies/100 ml. [LAC 33:IX.2701.A]

All Year

ALL

Sample type and frequency

Fecal coliform, general monitored by grab sampling monthly (STORET 74055). [LAC 33:IX.2701.J]

All Year

ALL

Weekly average**Which Months****Phases**Limits

Fecal coliform, general &lt;= 400 colonies/100 ml. [LAC 33:IX.2701.A]

All Year

ALL

Sample type and frequency

Fecal coliform, general monitored by grab sampling monthly (STORET 74055). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

Fecal coliform, general recordkeeping by lab analyses monthly. [LAC 33:IX.2701.J.2]

ALL

**Flow, in conduit or through treatment plant**Monthly average**Which Months****Phases**Sample type and frequency

Flow, in conduit or through treatment plant monitored by estimate monthly (STORET 50050). [LAC 33:IX.2701.J]

**Report Only -  
gallons/day**

All Year

ALL

Weekly average**Which Months****Phases**Sample type and frequency

Flow, in conduit or through treatment plant monitored by estimate monthly (STORET 50050). [LAC 33:IX.2701.J]

**Report Only -  
gallons/day**

All Year

ALL

Record-Keeping

Flow, in conduit or through treatment plant recordkeeping by manual logging monthly. [LAC 33:IX.2701.J.2]

ALL

**TSS (Total Suspended Solids)**Monthly average**Which Months****Phases**Limits

TSS (Total Suspended Solids) &lt;= 30 mg/l. [LAC 33:IX.2701.A]

All Year

ALL

Master AI ID: 19531

Permit #: LA0000876

Activity ID: PER 2007 0001

**Subject Item: RLP 2 Outfall 107 - treated sanitary wastewater**

<b>Sample type and frequency</b>		
TSS (Total Suspended Solids) monitored by grab sampling monthly (STORET 00530). [LAC 33:IX.2701.J]	All Year	ALL
<b><u>Weekly average</u></b>	<b>Which Months</b>	<b>Phases</b>
<b>Limits</b>		
TSS (Total Suspended Solids) <= 45 mg/l. [LAC 33:IX.2701.A]	All Year	ALL
<b>Sample type and frequency</b>		
TSS (Total Suspended Solids) monitored by grab sampling monthly (STORET 00530). [LAC 33:IX.2701.J]	All Year	ALL
<b><u>Record-Keeping</u></b>		
TSS (Total Suspended Solids) recordkeeping by lab analyses monthly. [LAC 33:IX.2701.J.2]		ALL
<b><u>Narrative</u></b>		<b>Phases</b>
Monitored at the point of discharge from the activated sludge treatment plant prior to mixing with other waters. [LAC 33:IX.2701.J.4]		ALL
Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, a future Total Residual Chlorine Limitation may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASUREABLE Total Residual Chlorine Limitation. If such a limitation is imposed, provide for dechlorination of the effluent prior to discharge. [LAC 33:IX.2701]		ALL
Submit Monthly Discharge Monitoring Report (DMR): Due quarterly, by the 28th of January, April, July, and October. Prepare one DMR per month and submit all 3 reports quarterly. Shall be postmarked not later than 1) April 28 for monitoring in the months of January, February, and March 2) July 28th, for monitoring in the months of April, May, and June; 3) October 28th, for monitoring in the months of July, August and September; and 4) January 28th, for monitoring in the months of October, November, and December. [LAC 33:IX.2701.L.4]		ALL
<b>Discharge Monitoring Report</b>		ALL
Prepare and submit DMRs for each outfall. Place an "X" in the No Discharge box located in the upper right corner of the DMR if there is a "No Discharge" event at any of the monitoring outfall(s) during the reporting period. Submit duplicate copies of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503.B, and all other reports (one set of originals) required by this permit, to the Department of Environmental Quality, Office of Environmental Compliance, Permit Compliance Unit, Post Office Box 4312, Baton Rouge, Louisiana 70821-4312. [LAC 33:IX.2701.L.4]		

Master AI ID: 19531

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Activity ID: PER 2007 0001

**Subject Item: AI 19531**

<u>Narrative</u>	<u>Phases</u>
Report violations of daily maximum limitations for the pollutants listed in Other Conditions orally to the Office of Environmental Compliance within 24 hours from the time you became aware of the violation followed by a written report in five days, <u>under</u> the provisions of General Conditions Part D.6.e. (3) of this permit. [LAC 33:IX.2707.G]	ALL
Achieve compliance with the effluent limitations and monitoring requirements specified for discharges in <u>accordance</u> with the following schedule: Effective Date of the permit. [LAC 33:IX.2701]	ALL
If the flow measurement sample type indicated is specified as "estimate," flow measurements shall not be <u>subject</u> to the accuracy provisions established in this permit. The daily flow value may be estimated using best engineering judgement. [LAC 33:IX.2701]	ALL
Obtain prior approval from the Office of Environmental Services for any new proposed discharges at the <u>site</u> . [LAC 33:IX.2701]	ALL
If applicable, ensure that all storage tank installations with a capacity greater than 660 gallons for an <u>individual</u> container, or 1,320 gallons for two or more containers in aggregate within a common storage area, are constructed so that a <u>secondary</u> means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. <u>Diked areas</u> should be sufficiently impervious to contain spills. [LAC 33:IX.2701.A]	ALL
Any runoff leaving developed areas of the facility, other than through the permitted outfall(s), exceeding 50 mg/l Carbon, total organic (Storet 00680), 15 mg/l Oil and grease (Storet 03582), or having a pH (Storet 00400) less than 6.0 SU or greater <u>than</u> 9.0 SU shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall <u>not</u> be considered a violation of this permit. [LAC 33:IX.2701.A]	ALL
Prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six months <u>after</u> permit effective date. The SWP3 shall apply to all stormwater discharges from the facility, either through permitted outfalls or through <u>outfalls</u> which are not listed in the permit or as sheetflow. [LAC 33:IX.2701.A]	ALL
Include the following conditions in the SWP3 for the facility: A) an annual inspection of the facility site to <u>identify</u> areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce <u>pollutant</u> loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or <u>whether</u> additional control measures are needed; B) a prediction of the direction, rate of flow, and total quantity of pollutants which <u>could</u> be discharged from the facility as a result of potential equipment failure (e.g. tank overflow or leakage), natural conditions (e.g. precipitation), or other circumstances which result in significant amounts of pollutants reaching surface waters; and C) an annual report of the inspection of the facility site which should contain, at a minimum, the date and time of inspection, the name of the inspector(s), conditions found, <u>identification</u> of any incidents of noncompliance, and changes to be made to the SWP3; and D) develop a site map which includes all <u>areas</u> where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantity leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not <u>directly</u> contact the substances and result in contaminated runoff. [LAC 33:IX.2701.A]	ALL
Utilize <u>all</u> reasonable methods to minimize any adverse impact on the drainage system including but not <u>limited</u> to: A) maintaining adequate roads and driveway surfaces; B) removing debris and accumulated solids from the drainage system; and <u>C)</u> cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods. [LAC 33:IX.2701.A]	ALL
Clean up and dispose of all spilled product and other spilled wastes immediately according to all applicable <u>regulations</u> , Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. [LAC 33:IX.2701.A]	ALL
Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where <u>necessary</u> to comply with state or federal safety regulations (i.e., requirement for non-slippery work surface). In all such cases, perform <u>initial cleanup</u> by physical removal and minimize chemical usage. [LAC 33:IX.2701.A]	ALL
Maintain all equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, <u>or other</u> material exposed to storm water in a manner which prevents contamination of storm water by pollutants. [LAC 33:IX.2701.A]	ALL
Recycle or contain for proper disposal all waste fuel, lubricants, coolants, solvents, or other fluids used <u>in the</u> repair or maintenance of vehicles or equipment. Clean up spills of these materials by dry means whenever possible. [LAC 33:IX.2701.A]	ALL
Maintain all diked areas surrounding storage tanks or storm water collection basins free of residual oil or <u>other</u> contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper <u>draining</u> of the diked area. [LAC 33:IX.2701.A]	ALL
Equip all drains from diked areas with valves kept in the closed condition except during periods of <u>supervised</u> discharge. [LAC 33:IX.2701.A]	ALL
Inspect and maintain all check valves, tanks, drains, or other potential sources of pollutant releases on a <u>regular</u> basis to assure their proper operation and to prevent the discharge of pollutants. [LAC 33:IX.2701.A]	ALL
Assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and <u>Resource</u> Recovery Law and the Hazardous Waste Management Law (La. R.S. 30:2151, etc.). Reference management practices required <u>under</u> above regulations in the SWP3. [LAC 33:IX.2701.A]	ALL

Master AI ID: 19531

Permit #: LA0000876

Activity ID: PER 2007 0001

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Subject Item: AI 19531**Narrative**

Amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants. [LAC 33:IX.2701.A]

**Phases**

ALL

If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements. [LAC 33:IX.2701.A]

ALL

St. Bernard Port, Harbor, and Terminal District  
 Chalmette Terminal  
 RE: LA0000876, AI No. 19531

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Other Conditions:

In addition to the standard conditions required in all permits and listed in STANDARD CONDITIONS FOR LPDES PERMITS, the Office has established the following additional conditions in accordance with the Louisiana Water Quality Regulations.

- A. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations or additional restrictions, if necessary, to maintain the water quality integrity and the designated uses of the receiving water bodies.
- B. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.
- C. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.
- D. For definitions of monitoring and sampling terminology see STANDARD CONDITIONS FOR LPDES PERMITS, Section F.
- E. EPA document 833-R-92-002 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained by writing to the U.S. Environmental Protection Agency, Office of Water Resources (RC-4100), 401 M Street, S.W., Washington D.C. 20460 or by calling (202) 260-7786.
- F. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Pollutant (s): None

G. PERMIT REOPENER CLAUSE

In accordance with LAC 33:IX.2383, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- 1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- 2. Controls any pollutant not limited in the permit; or
- 3. Require reassessment due to change in 303(d) status of waterbody; or

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4. Incorporates the results of any total maximum **daily** load allocation, which may be approved for the receiving water body.

H. Definitions

SPC: Spill Prevention and Control. Plan covering the **release** of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.9).

SPCC: Spill Prevention Control and Countermeasures **Plan**. Plan covering the release of hazardous substances as defined in 40 CFR **Part** 112.

Storm water Runoff: aqueous surface runoff including **any** soluble or suspended material mobilized by naturally occurring precipitation **events**.

Surface Water: all lakes, bays, rivers, streams, springs, **ponds**, impounding reservoirs, wetlands, swamps, marshes, water sources, **drainage** systems and other surface water, natural or artificial, public or private **within** the state or under its jurisdiction that are not part of a treatment system **allowed** by state law, regulation, or permit.

Uncontaminated Ambient Water: ambient water which **is** returned to the receiving water body without the addition of chemicals. Included are discharges of: (1) excess water which permit the continuous operation of fire control and utility lift pumps, and (2) excess water from pressure **maintenance**.

Visible Sheen: a silvery or metallic sheen, gloss, or **increased** reflectivity; visual color; or iridescence on the water surface.

Wastewater: liquid waste resulting from commercial, **municipal**, private, or industrial processes. This includes, but is not limited to, **cooling** and condensing waters, sanitary sewage, industrial waste, and **uncontaminated** Stormwater runoff.

Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams, (**including** intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie **potholes**, wet meadows, playa lakes, natural ponds, impoundments of waters **within** the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

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Accreditation: means the formal recognition by the department of a laboratory's competence wherein a specific test or types of tests can be accurately and successfully performed in compliance with all the minimum requirements set forth in the regulations regarding laboratory accreditation.

Commercial Laboratory: mean any laboratory that performs analyses for third parties for a fee or other compensation, except those commercial laboratories accredited by the Department of Health and Hospitals in accordance with R.S.49:1001 et seq.

## STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS1. Introduction

In accordance with the provisions of LAC 33:IX.2701, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions

a. LA. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. LA. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).

b. Any person may be assessed an administrative penalty by the State Administrative Authority under LA. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants

a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply

a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

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**12. Severability**

if any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

**13. Dilution**

A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

**SECTION B. PROPER OPERATION AND MAINTENANCE****1. Need to Halt or Reduce not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**2. Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

**3. Proper Operation and Maintenance**

- a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

**4. Bypass of Treatment Facilities**

- a. Bypass. The intentional diversion of waste streams from any portion of a treatment facility.
- b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.
- c. Notice
  - (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water Permits Division, if possible at least ten days before the date of the bypass.
  - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6, (24-hour notice) and Section D.6.e. of these standard conditions.

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7. Percent Removal

For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3. and B.3.

SECTION C. MONITORING AND RECORDS1. Inspection and Entry

The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

- b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection

- (1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.
- (2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

- f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

- c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. General sampling protocol shall follow guidelines established in the "Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982" U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503. General laboratory procedures including glassware cleaning, etc. can be found in the "Handbook for Analytical Quality Control in Water and Wastewater Laboratories, 1979," U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory. This publication is available from the Environmental Protection Agency, Phone number (513) 569-7562. Order by EPA publication number EPA-600/4-79-019.

#### 6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

- a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.
- b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.
- c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

#### 7. Prohibition for Tampering: Penalties

- a. LA R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.
- b. LA R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non compliance.

#### 8. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR Part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

#### 9. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

### 3. Transfers

This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX.2903. A.2.b), or a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

### 4. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in narrative portion of the Facility Specific Requirements document or Other Conditions of this permit.

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) on the form specified in the permit. Preprinted DMRs are provided to majors/92-500's and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit  
Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, LA 70821-4312

Copies of blank DMR templates, plus instructions for completing them, and EPA's LPDES Reporting Handbook are available at the department website located at:

<http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2276>

### 5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

### 6. Requirements for Notification

#### a. Emergency Notification

As required by LAC 33:I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within seven calendar days after the notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:I.3925.B.

- (3) date(s), time(s), and duration of the unauthorized discharge and, **if not corrected**, the anticipated time it is expected to continue;
- (4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:
  - (a) the current permitted limit for the pollutant(s) released; **and**
  - (b) the permitted release point/outfall ID.
- (5) the common or scientific chemical name of each specific pollutant **that was released as the result of an unauthorized discharge**, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any **and all released pollutants** (total amount of each compound expressed in pounds, including calculations);
- (6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted;
- (7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.
- (8) Written notification reports shall be submitted to the Office of Environmental Compliance, Surveillance Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked **"UNAUTHORIZED DISCHARGE NOTIFICATION REPORT."**

Please see LAC 33:1.3925.B for additional written notification procedures.

- e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally **within 24 hours** from the time the permittee becomes aware of the circumstances. A written submission **shall** also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the **anticipated** time it is expected to continue; and; steps taken or planned to reduce, eliminate, **and prevent** recurrence of the noncompliance. The following shall be included as information which **must be reported** within 24 hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);
- (2) Any upset which exceeds any effluent limitation in the permit;
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Other Conditions of the permit to be **reported** within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Section D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information

Where the permittee becomes aware that it failed to submit any relevant **facts** in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

accurate information for permit application requirements; and ~~the~~ authority to sign documents has been assigned or delegated to the manager in accordance ~~with~~ corporate procedures.

**NOTE:** DEQ does not require specific assignments or delegations of authority ~~to~~ responsible corporate officers identified in Section D.10.a.(1)(a). The agency will presume that ~~these~~ responsible corporate officers have the requisite authority to sign permit applications unless the ~~corporation~~ has notified the state administrative authority to the contrary. Corporate procedures ~~governing~~ authority to sign permit applications may provide for assignment or delegation to applicable ~~corporate~~ positions under Section D.10.a.(1)(b) rather than to specific individuals.

- (2) ~~For a partnership or sole proprietorship~~ - by a general partner or ~~the~~ proprietor, respectively; or
  - (3) ~~For a municipality, state, federal, or other public agency~~ - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
    - (a) The chief executive officer of the agency, or
    - (b) A senior executive officer having responsibility for the ~~overall~~ operations of a principal geographic unit of the agency (e.g., Regional Administrators ~~of~~ EPA).
- b. All reports required by permits and other information requested by the ~~state~~ administrative authority shall be signed by a person described in Section D.10.a., or by a duly ~~authorized~~ representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in ~~Section~~ D.10.a. of these standard conditions;
  - (2) The authorization specifies either an individual or a position ~~having~~ responsibility for the overall operation of the regulated facility or activity such as the position ~~of~~ plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,
  - (3) The written authorization is submitted to the state administrative ~~authority~~.
- c. Changes to authorization. If an authorization under Section D.10.b. ~~is~~ no longer accurate because a different individual or position has responsibility for the overall ~~operation~~ of the facility, a new authorization satisfying the requirements of Section D.10.b. ~~must~~ be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under Section D.10. ~~a~~ or b. above, shall make the following certification:

"I certify under penalty of law that this document and all attachments ~~were~~ prepared under my direction or supervision in accordance with a system designed to assure that ~~qualified~~ personnel properly gather and evaluate the information submitted. Based on my inquiry of the ~~person~~ or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. ~~I am~~ aware that there are significant penalties for submitting false information, including the ~~possibility~~ of fine and imprisonment for knowing violations."

#### 11. Availability of Reports

All recorded information (completed permit application forms, fact ~~sheets~~, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1 et seq.

## 2. Civil Penalties

The Louisiana Revised Statutes LA. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than \$32,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(PLEASE NOTE: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

## SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).
2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.
3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.
4. Applicable Standards and Limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including, effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308 and 403.
5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.
6. Commercial Laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with R.S.49:1001 et seq.
7. Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample.
8. Daily Maximum discharge limitation means the highest allowable "daily discharge".
9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.

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20. Sewage sludge means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; portable toilet pumpings, type III marine sanitation device pumpings (33 CFR Part 159); and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.
21. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act)
22. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
23. The term MGD shall mean million gallons per day.
24. The term mg/L shall mean milligrams per liter or parts per million (ppm).
25. The term ug/L shall mean micrograms per liter or parts per billion (ppb).
26. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).
27. Weekly average, (also known as 7-day average), other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the weekly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

28. Sanitary Wastewater Term(s):

- a. 3-hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.
- b. 6-hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.